

REMARKS

Claim 12 has been amended to recite a Markush group of anchor substances present in now-canceled claim 13. Claims 16 and 20 have been amended to include the phrase "when compared with main components of the honeycomb carrier," language that already appears in present claim 12. The claims before the Examiner are thus 12, 14 to 16 and 18 to 23.

The rejection of claims 12 to 16 and 18 to 23 under 35 USC 102 or under 35 USC 103 as unpatentable over Iizuka et al. '870, if applied to the claims as amended, is respectfully traversed.

With the change to claim 12 the anchor substance no longer includes titanium making claims 12, 14, and 15 readily patentable over the reference. (The Examiner will recall that the independent claims had been amended previously to state that the anchor substances are "present by being added separately as an anchor substance.") With respect to the remaining claims, applicants respectfully submit that Iizuka et al. '870 teaches merely the use of alumina as a porous support for catalyst components. The patent at column 2, lines 17 to 34 informs the reader that the catalyst loaded on alumina would be supported on the honeycomb body. Such an arrangement would correspond to the catalyst layer of the

present invention. The reference therefore does not teach or suggest the use of alumina by separately adding same as an anchoring substance between the catalyst layer and the surface of the partition wall or inside the partition walls. The Examiner's comments in the last three sentences of the second paragraph on page 2 of the Office Action have been considered. Applicants say with respect that the claims structurally and patentably differ from the structures discussed in that portion of the paper. The rejection should be withdrawn.

The rejection of all pending claims under 35 USC 103 as unpatentable over Lindner et al. '430 taken with Deeba et al. '910 is also respectfully traversed. Applicants have argued previously and at length that one of ordinary skill in the art would not seek to modify the teachings of Lindner et al. '430 to provide a material for anchoring an alkali metal when the primary reference itself is silent regarding the presence of an alkali metal in the system. The Examiner is directed to the arguments at pages 15 to 20 of the Amendment Under 37 CFR 1.116 filed November 30, 2004. The overreaching in the rejection is believed evidenced by the comment in the fourth paragraph on page 2 of the most recent Office Action that the presence of an alkali metal in the primary

Serial No.: 09/735,930

reference "would appear to inherently be present as an impurity, such as in the water used in the solutions of the metals." The comment shows all too clearly that hindsight has been used to try to find disclosure in the prior art that just isn't to be found there. There is no proper reason to combine those teachings because the primary reference says absolutely nothing about an alkali metal in a honeycomb carrier catalyst body system nor any problems associated therewith. The claims patentably define over this combination of references and the rejection should be withdrawn.

Lastly, the fourth paragraph on page 3 of the Office Action contains a sentence reading "The motivation to use alkali metal does not need to be the same as the motivation applicants use." Applicants are not using an alkali metal for any purpose. The invention relates to a way to deal with the problems caused by the presence of an alkali metal in catalyst bodies used for NO_x adsorption catalysts; see page 1, line 26 to page 3, line 6 of the specification. Neither art rejection deals with solving the problem as applicants have done.

Reconsideration and allowance of claims 12 and 14 to 23 is earnestly solicited.

Serial No.: 09/735,930

The Examiner is requested to telephone the undersigned if additional changes are required in the case prior to allowance.

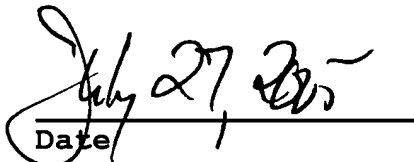
Respectfully submitted,

STEPTOE & JOHNSON LLP



Charles A. Wendel

Registration No. 24,453


Date

CAW/ch

Atty Dkt: 28953.7205

(WATK:205)

STEPTOE & JOHNSON LLP

1330 Connecticut Ave., N.W.

Washington, D.C. 20036

(202) 429-6415